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Attorney for Defendant
MELVIN BASA

FILED
Clerk
District Court

JUN - 9 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,

Plaintiff,

v.

MELVIN BASA,

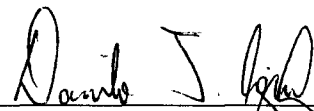
Defendant.

Criminal Case No. 99-00050-001

NOTICE OF APPEAL

Defendant Melvin Basa, through his undersigned counsel hereby files this Notice of Appeal of the Judgment for Revocation of Probation or Supervised Release in the above entitled matter, entered on June 02, 2008. This notice of appeal is executed by undersigned counsel in accordance with Ninth Circuit Rule 4.1.

DATED this 9th day of June, 2008.



DANILO T. AGUILAR, F0198
Attorney for Defendant
Melvin Basa

UNITED STATES DISTRICT COURT

District of Northern Mariana Islands

UNITED STATES OF AMERICA
V.

MELVIN NAKATSUKASA BASA

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)

Case Number: CR-99-00050-001

USM Number: 00318-005

Danilo Aguilar, Esq.

Defendant's Attorney

FILED
Clerk
District Court

JUN - 2 2008

THE DEFENDANT:

☒ admitted guilt to violation of condition(s) Mandatory Condition of the term of supervision☐ was found in violation of condition(s) _____ after denial of guilt.

The defendant is adjudicated guilty of these violations:

Violation Number	Nature of Violation	Violation Ended
Mandatory Condition	Failure to refrain from unlawful use of a controlled substance	5/16/2008

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Defendant's Soc. Sec. No.: _____

Defendant's Date of Birth: _____

Defendant's Residence Address: _____

5/30/2008

Date of Imposition of Judgment

Signature of Judge

Hon. Alex R. Munson
Name of JudgeChief Judge
Title of Judge

Date

Defendant's Mailing Address: _____

DEFENDANT: MELVIN NAKATSUKASA BASA
CASE NUMBER: CR-99-00050-001**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of :
Seven (7) Months.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: MELVIN NAKATSUKASA BASA
CASE NUMBER: CR-99-00050-001

SPECIAL CONDITIONS OF SUPERVISION

- 1) That the defendant shall not commit another federal, state, or local crime;
- 2) That the defendant not unlawfully possess a controlled substance;
- 3) That the defendant shall not possess a firearm or other dangerous weapon;
- 4) That the defendant shall comply with the requirements of the Sex Offender Registration and Notification Act ;
- 5) That the defendant shall cooperate in the collection of a DNA sample at the direction of the U.S. Probation Office;
- 6) That the defendant shall refrain from any unlawful use of a controlled substance and submit to a drug test within 15 days of release on supervised release and at least 2 periodic drug testes thereafter not to exceed eights drug tests per month;
- 7) That the defendant shall participate in a substance abuse program approved by the U.S. Probation Office for the treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse. The defendant shall also make a co-payment for treatment at a rate to be determined by the U.S. Probation Office;
- 8) That the defendant shall refrain from any use of alcohol and shall submit to breathalyzer as directed by the U.S. Probation Office;
- 9) That the defendant shall submit to mental health treatment under the supervision of the U.S. Probation Office;
- 10) That the defendant shall obtain and maintain gainful employment;
- 11) That the defendant shall perform 300 hours of community service under the direction of the U.S. Probation Office;
- 12) That the defendant shall be jointly and severally liable with Jeffrey Sablan, Criminal Case 99-00045 and Jeronimo Ada, Criminal Case 99-00051 and Francisco Nakatsukasa Basa in Criminal Case 00-00001 to pay restitution to the following victims:

Wu, Guo Qing \$4,088
c/o American Kai Hu Corp
PR 688 Box 10004
Saipan, MP 96950

Fleming Harumi and Jia Jia Ueda \$1,483
P.O. Box 500798
Saipan, MP 96950

Restitution payments shall be mailed to the U.S. District Court of the Northern Mariana Islands, Attention: Clerk of Court, P.O. Box 500687, Saipan, MP 96950

DEFENDANT: MELVIN NAKATSUKASA BASA
 CASE NUMBER: CR-99-00050-001

Judgment — Page 5 of 6

CRIMINAL MONETARY PENALTIES

The defendant must pay the following total criminal monetary penalties under the schedule of payments set forth on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 200.00	\$	\$ 5,571.00

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Wu, Guo Qing	\$4,088.00	\$4,088.00	100%
Fleming Harumi and Jia Jia Ueda	\$1,483.00	\$1,483.00	100%

TOTALS	\$	<u>5,571.00</u>	\$	<u>5,571.00</u>
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution or a fine more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: MELVIN NAKATSUKASA BASA
CASE NUMBER: CR-99-00050-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ 5,771.00 due immediately, balance due
- ☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below); or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay.
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☒ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Joint and Several Amount and corresponding payee, if appropriate.

Jeffrey Sablan Basa; CR-99-00046; \$7,439.00

Jeronimo S. Ada; CR-99-00051; \$7,439.00

Francisco Nakatusukasa Basa; CR-00-00001; \$7,439.00

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.